

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
Northern Division

CHARLES ULRICH,  
  
Plaintiff,

vs.

CONCENTRA HEALTH SERVICES, INC., ET AL.  
Defendants.

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Civil Action No.:

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NOTICE OF REMOVAL

Defendants Concentra Health Services, Inc. and Occupational Health Centers of the Southwest, P.A., by and through undersigned counsel, hereby gives notice of their intent to remove the action captioned above as *Ulrich v. Concentra Health Services, Inc., et al.*, and Circuit Court Civil No. 24-C-15-000296, from the Circuit Court for Baltimore City to the United States District Court for the District of Maryland. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

**I. INTRODUCTION**

1. Plaintiff Charles Ulrich filed this action on January 21, 2015 in the Circuit Court of the State of Maryland, Baltimore City (Civil Action No. 24-C-15-000296) but served it on March 6, 2015.

2. According to the Complaint, Plaintiff alleges he received negligent medical care by the defendants.

3. Plaintiff's Writ of Summons is attached as Exhibit "1." Plaintiff's Complaint and Jury Trial Demand are attached as Exhibit "2." Plaintiff's Case Information Report is attached

as Exhibit “3.” The Notice of Filing Notice of Removal is being filed concurrently with the Circuit Court of Maryland for Baltimore City and is attached hereto as Exhibit “4.”

4. Counsel agreed to service on March 6, 2015, although the Summons did not arrive until March 13, 2015. (See Exhibit 5, Kohler letter.) Accordingly, this Notice of Removal is timely filed within thirty (30) days of receipt of the Summons by Defendants, through service or otherwise, of a copy of Plaintiffs’ initial pleading. *See* 28 U.S.C. § 1446 (b).

5. As stated more fully below, this Court has original jurisdiction over Plaintiffs’ claim pursuant to 28 U.S.C. §§ 1332 and 1441. Diversity of citizenship exists between Plaintiff and Defendants Concentra Health Services, Inc. and Occupational Health Centers of the Southwest, P.A. with their principal places of business in Addison, Texas. The amount sought referenced in the Civil Information Sheet exceeds the amount in controversy.

## **II. DIVERSITY JURISDICTION**

6. Plaintiff alleges that both Defendants are organized and have their principal places of business in Texas while Plaintiff is a resident of Maryland. (Complaint, Exhibit “2,” para. 8 & 9.)

7. Accordingly, neither Plaintiff nor Defendants are citizens of the same state under 28 U.S.C. § 1332. Nor are the Defendants citizens of the State of Maryland pursuant to 28 U.S.C. § 1441(b). As such, complete diversity of citizenship exists between the parties for removal to the United States District Court for the District of Maryland.

III. AMOUNT IN CONTROVERSY

8. Exclusive of costs, attorney's fees, and interest, Plaintiffs' Civil Information Report claimed damages in the amount of \$100,000. (Exhibit 3)

IV. CONCLUSION

9. Based on the foregoing, Defendants Concentra Health Services, Inc. and Occupational Health Centers of the Southwest, P.A. respectfully request the removal of this claim to the United States District Court for the District of Maryland pursuant to 28 U.S.C. §§ 1332 and 1441, and for such other and further relief as this Court may deem just and appropriate.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice of Removal with accompanying exhibits was transmitted to the court via hand-delivery, and served by U.S. Mail, postage pre-paid, filing this 24<sup>th</sup> day of March, 2015 to counsel of record:

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